

Remarks

The above amendments and these remarks are responsive to the Office action mailed July 12, 2006. With entry of this amendment, claims 1-22 are pending. Claims 1, 6-10 and 13 have been amended. No new matter has been added. Applicants thank the Examiner for careful consideration of the subject application.

Claims 1, 4, 12, 13, 17, 19, 20, and 21 were rejected under 35 U.S.C. § 102(b) as being anticipated by Stewart (U.S. Patent 5,415,134). Claims 2, 3, 5-11, 14-16, 18 and 22 were rejected under 35 U.S.C. 103(a) as being unpatentable over Stewart, Jr.

Claims 1, 4, 12, 13, 17, 19, 20, and 21

Claims 1, 4, 12, 13, 17, 19, 20, and 21 were rejected under 35 U.S.C. § 102(b) as being anticipated by Stewart. Applicants have amended independent claims 1 and 13 and respectfully traverse the rejections.

Claim 1, as amended, recites in part a cooling system for an engine comprising an actuator to adjust a variable speed fan and a variable speed pump throughout the entire range of engine operation based on an engine operating condition. Stewart discusses using an actuator (motor 70 in Fig. 1) to drive a fan and pump at a fixed speed and also only while the engine crankshaft is turning at less than 1500 RPM or during idle and shutdown conditions. See col. 5, lines 62-68, and Figures 1 and 6-9.

Applicants have reviewed Stewart and found no disclosure showing a cooling system for an engine comprising an actuator to adjust a variable speed fan and a variable speed pump throughout the entire range of engine operation based on an engine operating condition. Since Stewart does not contain all the limitations of claim 1 as amended, the rejection of claim 1

should be withdrawn. Claims 13 contains similar limitations as claim 1 and thus the above arguments further apply to claim 13. Since dependent claims necessarily contain the limitations of claims from which they depend, the rejection of claims 4, 12, 17, 19, 20, and 21 should be withdrawn for at least the same reasons as claims 1 and 13.

Claims 2, 3, 5-11, 14-16, 18 and 22

Claims 2, 3, 5-11, 14-16, 18 and 22 were rejected under 35 U.S.C. 103(a) as being unpatentable over Stewart. Applicants respectfully traverse the rejections for the following reasons. Stewart does not teach or suggest all the limitations of claims 1 and 13, as amended, and therefore all depend claims are patentably distinguishable for at least the same reasons as claims 1 and 13.

Claim 1, as amended, recites in part a cooling system for an engine comprising an actuator to adjust a variable speed fan and a variable speed pump throughout the entire range of engine operation based on an engine operating condition. Stewart discusses using an actuator (motor 70 in Fig. 1) to drive a fan and pump at a fixed speed and also only while the engine crankshaft is turning at less than 1500 RPM or during idle and shutdown conditions.

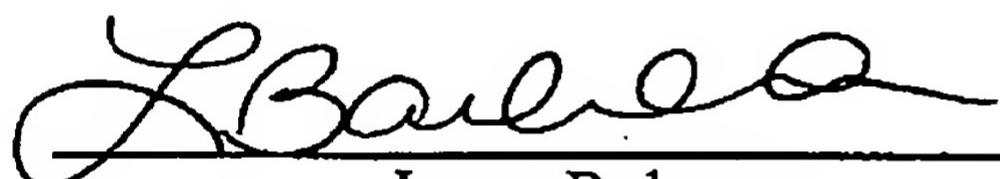
Applicants have reviewed Stewart and found no teaching or suggestion showing a cooling system for an engine comprising an actuator to adjust a variable speed fan and a variable speed pump throughout the entire range of engine operation based on an engine operating condition. Since Stewart does not teach or suggest all the limitations of independent claims 1 and 13 as amended, the rejection of dependent claims 2, 3, 5-11, 14-16, 18 and 22 should be withdrawn.

Based on the foregoing comments, the above-identified application is believed to be in condition for allowance, and such allowance is courteously solicited. If any further amendment is necessary to advance prosecution and place this case in allowable condition, the Examiner is courteously requested to contact the undersigned by fax or telephone at the number listed below.

Please charge any cost incurred in the filing of this Amendment, along with any other costs, to Deposit Account No. 06-1510. If there are insufficient funds in this account, please charge the fees to Deposit Account No. 06-1505.

CERTIFICATE OF FACSIMILE

I hereby certify that this correspondence is being sent to the United States Patent and Trademark Office via facsimile at (571) 273-8300 on October 11, 2006.



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Respectfully submitted,

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